

MDOT MBE FORM B
STATE-FUNDED CONTRACTS (PROPOSALS ONLY)
MBE PARTICIPATION SCHEDULE

PART 1 – INSTRUCTIONS FOR MBE PARTICIPATION SCHEDULE

**PARTS 2 AND 3 MUST BE INCLUDED WITH THE PROPOSAL. THE FAILURE OF AN OFFEROR TO PROPERLY
COMPLETE AND SUBMIT THIS FORM SHALL RESULT IN A DETERMINATION THAT THE PROPOSAL IS NOT
SUSCEPTIBLE OF BEING SELECTED FOR AWARD.**

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***** STOP *****

FORM INSTRUCTIONS
PLEASE READ BEFORE COMPLETING THIS FORM

1. Please refer to the Maryland Department of Transportation (MDOT) MBE Directory at www.mdot.state.md.us to determine if a firm is certified for the appropriate North American Industry Classification System ("NAICS") Code and the product/services description (specific product that a firm is certified to provide or specific areas of work that a firm is certified to perform). For more general information about NAICS, please visit www.naics.com. Only those specific products and/or services for which a firm is certified in the MDOT Directory can be used for purposes of achieving the MBE participation goals.
2. In order to be counted for purposes of achieving the MBE participation goals, the firm must be certified for that specific NAICS ("MBE" for State-funded projects designation after NAICS Code). **WARNING:** If the firm's NAICS Code is in graduated status, such services/products will not be counted for purposes of achieving the MBE participation goals. Graduated status is clearly identified in the MDOT Directory (such graduated codes are designated with the letter "G" after the appropriate NAICS Code).
3. Examining the NAICS Code is the first step in determining whether an MBE firm is certified and eligible to receive MBE participation credit for the specific products/services to be supplied or performed under the contract. The second step is to determine whether a firm's Products/Services Description in the MBE Directory includes the products to be supplied and/or services to be performed that are used to achieve the MBE participation goals.
4. If you have any questions as to whether a firm is certified to perform the specific services or provide specific products, please call MDOT's Office of Minority Business Enterprise at 1-800-544-6056 or send an email to mbe@mdot.state.md.us.
5. The Contractor's subcontractors are considered second-tier subcontractors. Third-tier contracting used to meet an MBE goal is to be considered the exception and not the rule. The following two conditions must be met before MDOT, its Modal Administrations and the Maryland Transportation Authority, may approve a third-tier contracting agreement: (a) the bidder must request in writing approval of each third-tier contract arrangement, and (b) the request must contain specifics as to why a third-tier contracting arrangement should be approved. These documents must be submitted with the proposal in Part 2 of this MBE Participation Schedule.
6. For each MBE firm that is being used as supplier/wholesaler/regular dealer/broker/manufacturer, please follow these instructions for calculating the percentage of the Contract (as provided in price/financial proposal or any best and final offer) for purposes of achieving the MBE participation goal and subgoals (if applicable):
 - A. Is the firm certified as a broker of the products/supplies? If the answer is YES, please continue to Item C. If the answer is NO, please continue to Item B.
 - B. Is the firm certified as a supplier, wholesaler, regular dealer, or manufacturer of such products/supplies? If the answer is YES, continue to Item D. If the answer is NO, continue to Item C only if the MBE firm is certified to perform trucking/hauling services under NAICS Codes 484110, 484121, 484122, 484210, 484220 and 484230. If the answer is NO and the firm is not certified under these NAICS Codes, then no MBE participation credit will be given for the supply of these products.
 - C. For purposes of achieving the MBE participation goal, you may count only the amount of any reasonable fee that the MBE firm will receive for the provision of such products/supplies - not the total subcontract amount or the value (or a percentage thereof) of such products and/or supplies. In Column 5 of the MBE Participation Schedule, please state the amount of any reasonable fee as a percentage of Contract that the MBE firm will receive for the provision of such products/services in Section 5.3.
 - D. Is the firm certified as a manufacturer (refer to the firm's NAICS Code and specific description of products/services) of the products/supplies to be provided? If the answer is NO, please continue to Item E. If the answer is YES, for purposes of achieving the MBE participation goal, you may count the total amount of the subcontract. In Column 5 of the MBE Participation Schedule, please state the total amount of the subcontract in Section 5.1 as a percentage of Contract.

PART 1 – INSTRUCTIONS FOR MBE PARTICIPATION SCHEDULE

E. Is the firm certified as a supplier, wholesaler and/or regular dealer? If the answer is YES for purposes of achieving the MBE participation goal, you may only count sixty percent (60%) of the value of the subcontract (60% Rule). In Column 5 of the MBE Participation Schedule, please state the amount of the subcontract as a percentage of the Contract value in Section 5.1 **AND** the sixty percent (60%) of the total value of the subcontract as a percentage of the Contract in Section 5.2.

7. Cumulative credit given for the use of all MBE suppliers/wholesalers/regular dealers/brokers/manufacture in the MBE Participation Schedule cannot exceed sixty percent (60%) of the entire MBE participation goal. For example, if your proposal is \$100,000 and you have indicated that you will achieve \$25,000 in MBE Participation, the cumulative participation by MBE firms that are suppliers, manufacturers, wholesalers, brokers and regular dealers cannot exceed \$15,000 (or 60% of \$25,000).

Worksheet shown below to assist you in calculating the percentages and confirming that you have met the applicable MBE participation goal and subgoals (if any).

WORKSHEET

Total African American Owned Firm Participation Amount	\$ _____
(Add amounts listed for African American Owned Firms in Column 5 of MBE Participation Schedule)	
Divide by Total Contract Amount	÷ _____
Percent African American-Owned Participation	= _____ %
<hr/>	
Total Women-Owned Firm Participation Amount	_____
(Add amounts listed for Women-Owned Firms in Column 5 of MBE Participation Schedule)	
Divide by Total Contract Amount	÷ _____
Percent Women-Owned Firm Participation	= _____ %
<hr/>	
Total MBE Firm Participation Amount	\$ _____
(Add amounts listed for all MBE Firms in Column 5 of MBE Participation Schedule)	
Divide by Total Contract Amount	÷ _____
<i>Percent Overall MBE Participation</i>	= _____ %

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PART 2 – MBE PARTICIPATION SCHEDULE

PARTS 2 AND 3 MUST BE INCLUDED WITH THE PROPOSAL AS DIRECTED IN THE SOLICITATION. THE FAILURE OF AN OFFEROR TO PROPERLY COMPLETE AND SUBMIT PARTS 2 AND 3 OF THE MBE PARTICIPATION SCHEDULE SHALL RESULT IN A DETERMINATION THAT THE PROPOSAL IS NOT SUSCEPTIBLE TO BEING SELECTED FOR AWARD.

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Prime Contractor	Project Description	Solicitation Number

LIST INFORMATION FOR EACH CERTIFIED MBE SUBCONTRACTOR USED TO ACHIEVE THE MBE PARTICIPATION GOAL

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
NAME OF MBE SUBCONTRACTOR AND TIER	CERTIFICATION NO. AND MBE CLASSIFICATION	TOTAL SUB-CONTRACT AMOUNT AS A PERCENTAGE OF THE CONTRACT (AS PROVIDED IN PRICE/FINANCIAL PROPOSAL OR ANY BEST AND FINAL OFFER)	NAICS CODE/S NAICS Code/s of the specific products to be supplied or services to be performed by the MBE firm	Unless the offeror requested a waiver in MDOT MBE Form A – State Funded Contracts (Proposals Only) for this solicitation, the cumulative MBE participation for all MBE firms listed herein must equal at least the MBE participation goal and subgoals set forth in Form A. PERCENTAGE AMOUNT(S) FOR PURPOSES OF ACHIEVING THE MBE PARTICIPATION GOAL AND SUBGOALS. State the percentage amount of the products/services in Line 5.1 except for those services or products where the MBE firm is being used as a wholesaler, supplier, regular dealer, or broker. For those items of work where the MBE firm is being used as a supplier, wholesaler and/or regular dealer complete Line 5.2 using the 60% Rule. For those items of work where the MBE firm is being used as a broker, complete Line 5.3.
<input type="checkbox"/> Please check if MBE firm is a third-tier contractor (if applicable). Please submit written documents in accordance with Section 5 of Part 1 - Instructions	Certification Number: _____ <input type="checkbox"/> Women-Owned <input type="checkbox"/> African American-Owned <input type="checkbox"/> Other MBE Classification	%		<p><u>5.1 PERCENTAGE AMOUNT OF SUBCONTRACT FOR PRODUCTS/SERVICES (EXCLUDING PRODUCTS/SERVICES FROM SUPPLIERS, WHOLESALERS, REGULAR DEALERS AND BROKERS)</u></p> <p style="text-align: center;">%</p> <p><u>5.2 PERCENTAGE AMOUNT FOR ITEMS OF WORK WHERE THE MBE FIRM IS BEING USED AS SUPPLIERS, WHOLESALERS AND/OR REGULAR DEALERS) (PLEASE REFER TO SECTION 6(E) IN PART 1 - INSTRUCTIONS).</u></p> <p>Total value of Supplies/Products %</p> <p>X 60% (60% Rule) = %</p> <p>(amount for purposes of achieving the MBE Participation Goal and Subgoals).</p> <p><u>5.3 PERCENTAGE AMOUNT OF FEE WHERE MBE FIRM IS BEING USED AS BROKER (PLEASE REFER TO SECTION 6(C) IN PART 1 - INSTRUCTIONS).</u></p> <p style="text-align: center;">%</p>

☐ Please check if Continuation Sheets are attached.

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MBE PARTICIPATION SCHEDULE
STATE-FUNDED CONTRACTS (PROPOSALS ONLY)
PART 2 – MBE PARTICIPATION SCHEDULE
CONTINUATION SHEET
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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
				Unless the offeror requested a waiver in MDOT MBE Form A – State Funded Contracts (Proposals Only) for this solicitation, the cumulative MBE participation for all MBE firms listed herein must equal at least the MBE participation goal <u>and</u> subgoals set forth in Form A.
NAME OF MBE SUBCONTRACTOR AND TIER	CERTIFICATION NO. AND MBE CLASSIFICATION	TOTAL SUB-CONTRACT AMOUNT AS A PERCENTAGE OF THE CONTRACT (AS PROVIDED IN PRICE/FINANCIAL PROPOSAL OR ANY BEST AND FINAL OFFER)	NAICS CODE/S NAICS Code/s of the specific products to be supplied or services to be performed by the MBE firm	PERCENTAGE AMOUNT(S) FOR PURPOSES OF ACHIEVING THE MBE PARTICIPATION GOAL AND SUBGOALS. State the percentage amount of the products/services in Line 5.1 except for those services or products where the MBE firm is being used as a wholesaler, supplier, regular dealer, or broker. For those items of work where the MBE firm is being used as a supplier, wholesaler and/or regular dealer complete Line 5.2 using the 60% Rule. For those items of work where the MBE firm is being used as a broker, complete Line 5.3.
<input type="checkbox"/> Please check if MBE firm is a third-tier contractor (if applicable). Please submit written documents in accordance with Section 5 of Part 1 - Instructions	Certification Number: _____ <input type="checkbox"/> Women-Owned <input type="checkbox"/> African American-Owned <input type="checkbox"/> Other MBE Classification	%		<p><u>5.1 PERCENTAGE AMOUNT OF SUBCONTRACT FOR PRODUCTS/SERVICES (EXCLUDING PRODUCTS/SERVICES FROM SUPPLIERS, WHOLESALERS, REGULAR DEALERS AND BROKERS)</u></p> <p style="text-align: center;">%</p> <p><u>5.2 PERCENTAGE AMOUNT FOR ITEMS OF WORK WHERE THE MBE FIRM IS BEING USED AS SUPPLIERS, WHOLESALERS AND/OR REGULAR DEALERS) (PLEASE REFER TO SECTION 6(E) IN PART 1 - INSTRUCTIONS).</u></p> <p>Total value of Supplies/Products %</p> <p>X 60% (60% Rule) = %</p> <p>(amount for purposes of achieving the MBE Participation Goal and Subgoals).</p> <p><u>5.3 PERCENTAGE AMOUNT OF FEE WHERE MBE FIRM IS BEING USED AS BROKER (PLEASE REFER TO SECTION 6(C) IN PART 1 - INSTRUCTIONS).</u></p> <p style="text-align: center;">%</p>

<p><input type="checkbox"/> Please check if MBE firm is a third-tier contractor (if applicable). Please submit written documents in accordance with Section 5 of Part 1 - Instructions</p>	<p>Certification Number: _____</p> <p><input type="checkbox"/> Women-Owned <input type="checkbox"/> African American-Owned <input type="checkbox"/> Other MBE Classification</p>	<p>%</p>	<p>5.1 PERCENTAGE AMOUNT OF SUBCONTRACT FOR PRODUCTS/SERVICES (EXCLUDING PRODUCTS/SERVICES FROM SUPPLIERS, WHOLESALERS, REGULAR DEALERS AND BROKERS)</p> <p>%</p> <p>5.2 PERCENTAGE AMOUNT FOR ITEMS OF WORK WHERE THE MBE FIRM IS BEING USED AS SUPPLIERS, WHOLESALERS AND/OR REGULAR DEALERS) (PLEASE REFER TO SECTION 6(E) IN PART 1 - INSTRUCTIONS).</p> <p>Total value of Supplies/Products %</p> <p>X 60% (60% Rule) = %</p> <p>(amount for purposes of achieving the MBE Participation Goals and Subgoals).</p> <p>5.3 PERCENTAGE AMOUNT OF FEE WHERE MBE FIRM IS BEING USED AS BROKER (PLEASE REFER TO SECTION 6(C) IN PART 1 - INSTRUCTIONS).</p> <p>%</p>
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PART 3 – CERTIFICATION FOR MBE PARTICIPATION SCHEDULE

PARTS 2 AND 3 MUST BE INCLUDED WITH THE PROPOSAL AS DIRECTED IN THE SOLICITATION. THE FAILURE OF AN OFFEROR TO PROPERLY COMPLETE AND SUBMIT PARTS 2 AND 3 OF THE MBE PARTICIPATION SCHEDULE SHALL RESULT IN A DETERMINATION THAT THE PROPOSAL IS NOT SUSCEPTIBLE OF BEING SELECTED FOR AWARD.

I hereby affirm that I have reviewed the Products and Services Description (specific product that a firm is certified to provide or areas of work that a firm is certified to perform) set forth in the MDOT MBE Directory for each of the MBE firms listed in Part 2 of this MBE Form B for purposes of achieving the MBE participation goals and subgoals that were identified in the MBE Form A that I submitted with this solicitation, and that the MBE firms listed are only performing those products/services/areas of work for which they are certified. I also hereby affirm that I have read and understand the form instructions set forth in Part 1 of this MBE Form B.

I solemnly affirm under the penalties of perjury that the contents of Parts 2 and 3 of MDOT MBE Form B are true to the best of my knowledge, information and belief.

Company Name

Signature of Representative

Address

Printed Name and Title

City, State and Zip Code

Date